

EXHIBIT A

AO 120 (Rev. 6/90)

TO: Commissioner of Patents and Trademarks Washington, D.C. 20231	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ on the following ☒ Patents or ☐ Trademarks:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
PLAINTIFF Donald C. Hutchins 1047 Longmeadow Street Longmeadow, MA 01106		DEFENDANT Cardiac Science, Inc. 1900 Main St., Suite 700 Irvine, CA 92614
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 5,913 685	June 22, 1999	Donald C. Hutchins
2 4,583,524	April 22, 1986	Donald C. Hutchins
3 Re 34800	Nov. 29, 1994	Donald C. Hutchins
4		
5		

In the above-entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DONALD C. HUTCHINS,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO. 04-30126-MAP
)	
CARDIAC SCIENCE, INC,)	
Defendant)	

MEMORANDUM AND ORDER REGARDING
DEFENDANT'S MOTION TO DISMISS
(Docket No. 9)

September 13, 2004

PONSOR, U.S.D.J.

For the reasons stated in open court on September 9, 2004, the defendant's Motion to Dismiss is ALLOWED with regard to Counts IV and V, and otherwise DENIED. The complaint on its face makes it clear that the defendant had no duty of care to the plaintiff with regard to its purchase of assets from the entity referred to by the parties as Compliant Corp. However, the complaint sufficiently articulates claims for copyright and patent infringement in Counts I, II and III, and for breach of contract in Count VI.

It is So Ordered.

✓
/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge